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(A recess was taken from 10:45 a.m. to 11:02 a.m.)

HEARING OFFICER: For those of us who have speaking parts, we're going to try this with the heat for a while, so if you could elevate the volume just a bit so that the reporter can get a proper transcription, it would be much appreciated.

Attorney Hamilton, if you want to continue, go right ahead.

MR. HAMILTON: If I want to?

HEARING OFFICER: It's up to you.

I would also note if we get too warm, raise your hand. We'll click it off. But that may take a while.

**BY MR. HAMILTON:**

Q. John, I've handed you Employee Exhibit No. 141. Are you familiar with this document?

A. Yes.

Q. What is this document?

A. This is an affidavit that I signed.

Q. Now, would you agree that the first three paragraphs are the same as the affidavits you submitted so far?

A. That is correct.

Q. And the purpose of that affidavit was to do what?

A. For me to get the truth out.

Q. Okay. Now, there in No. 4 of Employee Exhibit No. 141,

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how long have you been the FCA monitor here at the Mount Vernon Middle School?

A. It will be 17 years.

Q. And during that previous 17 years, had you ever had to get a permission slip?

A. No.

Q. So permission slips were a new requirement in the 2007-2008 school year?

A. That is correct.

Q. What did you understand your role to be as the advisor of FCA?

A. Facilitator, monitor, supervisor of FCA.

Q. When do you -- John, when do you -- it's the hearing part. When do you believe that you had clarity as to the requirement about permission slips?

MR. MILLSTONE: Objection. Asked and answered.

HEARING OFFICER: Overruled.

A. April 2nd, 2008, when Mr. White and Mr. Ritchey gave a memo to anybody who had -- to all staff, especially those who had clubs.

Q. Now, when you interviewed -- we'll talk in great detail later, but when you interviewed on May 15th, 2008, with the investigators, I understand from your testimony you went back and listened to what you talked about. Right?

A. Yes, I did.

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Q. Now, I'm looking there at No. 5 of Employee Exhibit No.

141. And you used the word "December" as to when it appears you created a permission slip form. Was that a correct or incorrect statement?

A. That was not correct. I didn't walk in there with dates, so that was incorrect.

Q. When you say you didn't walk in there with dates, where is "there"?

A. There would be the central office where the H & R investigators were holding the interviews.

Q. And that was on May 15th, 2008?

A. Yes.

Q. You also stated in there in No. 5 of Employee Exhibit No. 141 in the interview you said it was January or February is when you went to the school board meeting.

A. No. From my index cards, looking at my index cards, it was in March.

Q. When you went and had the meeting with H.R. On Call, did you take your index cards with you?

A. No.

Q. Where did you leave them?

A. By my phone.

Q. Now, at the bottom of No. 5, it says, "Also on March 4

FCA was cancelled because there was no speaker." Is that March 4, 2008?

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A. That would be correct.

Q. And, then, essentially, No. 6 is where you made certain that the whole contents of whatever the card or something like that was there. Right?

A. Yes. It's one of the employee's exhibits.

Q. Now, there in No. 7, when did you -- let me ask you this: When did you learn about the identity of Zach Dennis having been the student that made the complaints against you?

A. April 22nd, in Mr. White's office, 2008.

Q. So there at No. 7, it says on March 18th when Pastor Zirkle was there you didn't know the identity of the student that was making the complaint.

A. No.

Q. Now, what's the date you executed this affidavit? Flip to page 4.

A. May 23rd, 2008.

Q. And at that point in time when you made the affidavit, you knew the identity of Zach Dennis. Right?

A. That's correct.

Q. Now, do you ever recall Zach Dennis calling his mom from your classroom to receive permission to attend FCA?

A. Yes, I do.

Q. I'm sorry?

A. Yes, he did call from my phone in my classroom.

Q. And tell me what transpired with that.